IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

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) 07 C 6116
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) Judge Grady
) Magistrate Judge Ashmar
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UNOPPOSED MOTION TO EXTEND BRIEFING SCHEDULE ON DEFENDANT'S MOTION TO DISMISS PLAINTIFF'S COMPLAINT

Plaintiff Jevon Ector, by and through her attorneys, moves this Court for an order extending the briefing schedule on her Response to Defendant's Motion to Dismiss Plaintiff's Complaint. In support of her motion, Plaintiff states as follows:

- Plaintiff's Response to Defendant's Motion to Dismiss is currently due on
 February 5, 2008.
- 2. However, the parties are currently engaging in settlement discussions. To that end, on January 17, 2008, the parties met and exchanged documents relating to the Plaintiff's individual and class claims, and counsel for Plaintiff, Lance A. Raphael and Aron Robinson, have made a settlement demand on Defendant. As of January 29, 2008, Defendant's counsel has yet to accept or reject this demand.
- 3. In order to avoid an unnecessary increase in attorneys' fees in a fee-shifting case, Plaintiff requests that she be given an additional 28 days to respond to Defendant's Motion to Dismiss.
 - 4. The extension requested will give the parties sufficient time to see if the case can

settle before the Court will have to review written memoranda and consider oral argument.

- 5. Misty Martin, counsel for Defendant, does not oppose this motion.
- 6. Therefore, Plaintiff proposes the following new schedule:

Plaintiff's Response to Defendant's Motion to Dismiss shall be due March 4, 2008; and Defendant's Reply in Support of its Motion to Dismiss shall be due March 18, 2008.

WHEREFORE, Plaintiff Jevon Ector respectfully requests that this Court enter a modified briefing schedule on Defendant's Motion to Dismiss.

Respectfully Submitted,

By: <u>/s/ Lance A. Raphael</u>
One of Plaintiff's Attorneys

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